

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

MARVIN HOLLEY,	)	
	)	
Petitioner	)	
	)	
v.	)	
	)	Case No. 2:10-cv-02832-RBP-HGD
WARDEN USP COLEMAN	)	
USP COMPLEX 2,	)	
	)	
Respondent	)	

**MEMORANDUM OPINION**

On November 10, 2010, the magistrate judge's report and recommendation was entered and the parties were allowed therein fourteen (14) days in which to file objections to the recommendations made by the magistrate judge. On January 12, 2011, after obtaining an extension of time, petitioner filed objections to the magistrate judge's report and recommendation.

After careful consideration of the record in this case, the magistrate judge's report and recommendation and petitioner's objections, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge that the petition for habeas relief, whether filed pursuant to 28 U.S.C. § 2241 or 28 U.S.C. § 2255, be dismissed.

A separate order in conformity with this Memorandum Opinion will be entered contemporaneously herewith.

DONE this 1<sup>st</sup> day of August, 2011.

A handwritten signature in black ink, reading "Robert B. Propst". The signature is written in a cursive, flowing style. The first name "Robert" is written in a larger, more prominent script, followed by "B." and "Propst". The signature is positioned above a horizontal line.

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**ROBERT B. PROPST**  
**SENIOR UNITED STATES DISTRICT JUDGE**